

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

CORRECTED
VERSION

| | | | |
|---|--|---|--|
| Applicant's or agent's file reference PCT/GEBERT | | FOR FURTHER ACTION See Form PCT/PEA/416 | |
| International application No. PCT/ZA2005/000042 | International filing date (day/month/year) 18.02.2005 | Priority date (day/month/year) 18.02.2004 | |
| International Patent Classification (IPC) or national classification and IPC INV. G08G1/054 | | | |
| Applicant GEBERT, Rüdiger Heinz | | | |
| <p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau a total of 8 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> | | | |
| <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p> | | | |
| Date of submission of the demand 15.12.2005 | | Date of completion of this report 14.06.2006 | |
| Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 | | Authorized officer Flores Jiménez, A Telephone No. +49 89 2399-5999 | |



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/ZA2005/000042

Box No. I Basis of the report

1. With regard to the **language**, this report is based on

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-10 as originally filed

Claims, Numbers

1-59 received on 08.05.2006 with letter of 08.05.2006

Drawings, Sheets

1/2, 2/2 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

* *If item 4 applies, some or all of these sheets may be marked "superseded."*

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/ZA2005/000042

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N) Yes: Claims 1-59

No: Claims

Inventive step (IS) Yes: Claims 1-59

No: Claims

Industrial applicability (IA) Yes: Claims 1-59

No: Claims

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

Reference is made to the following document/s/:

D1: US-A-5 935 190 (DAVIS ET AL) 10 August 1999 (1999-08-10)

D2: US 2002/186297 A1 (BAKEWELL CHARLES ADAMS) 12 December 2002
(2002-12-12)

The document D1 is regarded as being the closest prior art to the subject-matter of claims 1 and 30, and shows (the references in parentheses applying to this document):

A method of verifying a traffic violation image which method includes the following steps
automatically sensing whether or not a vehicle commits a traffic violation (col. 2, lines 60-62)
automatically capturing an image which shows the vehicle committing a traffic violation if it is sensed that the vehicle has committed a traffic violation (col. 3, lines 11-13);
obtaining verification data which verifies that the step of sensing is accurate within acceptable limits (col. 32, lines 53-55); and
automatically combining the obtained verification data with the captured traffic violation image to provide proof of the accurate sensing of the traffic violation (col. 40, lines 12-15).

The subject-matter of independent claim 1 differs from this known method in that the calibration data is directly obtained and incorporated into the image, not only combined.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as to make the data of the images reliable enough to be sufficient proof.

The solution to this problem proposed in claim 1 of the present application is considered

as involving an inventive step (Article 33(3) PCT). The reasons for that are as follow:

In the method described in D1, a verification digit is incorporated in the image. To improve this system, the person skilled in the art would search for an alternative solution to the verification digit. However, in D1 there is no hint towards the aspect which should be improved.

In D2 it is mentioned that the apparatus needs to be calibrated on every shift and calibration data are included as proof in the videotape (D2, pages 4-5, paragraph 64).

Even if the person skilled in the art came to the conclusion that the system as described in D1 needed the modification suggested in D2, s/he would still not come to the solution as proposed in the claims; therefore, even with the combination of the teaching of D1 and D2, an additional improvement would be required to arrive to the solution as claimed. These two steps are not be obvious to the person skilled in the art.

The subject-matter of claim 1 is hence inventive (Art. 33(3) PCT).

Claims 2-29 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Independent claim 30 refer to the corresponding system. For similar reasons as above, the subject-matter of this claims is also new and inventive.

Claims 31-57 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Independent claims 58 and 59 are reformulations of the invention.